

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE: NEW MEXICO

SECTION 1924 PROVISIONS

- A. Income and resource eligibility policies used to determine eligibility for institutionalized individuals who have spouses living in the community are consistent with Section 1924.
- B. In the determination of resource eligibility the State resource standard is \$ 2,000.
- C. The definition of undue hardship for purposes of determining if institutionalized spouses receive Medicaid in spite of having excess countable resources is described below:
- 1). The excess resource must be a non-liquid asset with a fair market value of \$30,000 or less, and
 - 2). The client or representative must demonstrate that a bona fide effort to sell or liquidate the resource has been unsuccessful, and
 - 3). The applicant or representative must continue to make a bona fide effort to sell the property for as long as eligibility continues, or the property is sold, and
 - 4). It is verified that the applicant is unable to obtain care in any long-term care facility in the state without Medicaid coverage. The client is required to verify only that he/she cannot obtain admission to the state-run facilities.

STATE <u>New Mexico</u>	A
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DATE APPV'D <u>3-8-91</u>	
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